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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/800,330	03/06/2001	Dwayne Dames	6169-143	2967

40987 7590 03/23/2006		EXAMINER
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ART UNIT	PAPER NUMBER
2178	

DATE MAILED: 03/23/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

	Application No.	Applicant(s)
Office Action Summary	09/800,330	DAMES ET AL.
	Examiner	Art Unit	
	Joshua D. Campbell	2178	

-- *The MAILING DATE of this communication appears on the cover sheet with the correspondence address* --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE _3_ MONTH(S) FROM
THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on _07 November 2005_.

2a)☒ This action is **FINAL**.   2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is
       closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) _1-33_ is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) _1-33_ is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All   b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage
        application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)		4) ☐ Interview Summary (PTO-413)	
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)		Paper No(s)/Mail Date. _____ .	
3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)		5) ☐ Notice of Informal Patent Application (PTO-152)	
Paper No(s)/Mail Date _____ .		6) ☐ Other: _____ .	

DETAILED ACTION

1.   This action is responsive to communications: Amendment filed on 11/7/2005,

affidavits filed on 12/21/2005, and IDS filed on 1/10/2006.

2.   Claims 1-33 are pending in this case. Claims 1, 13, 14, 22, and 33 are

independent claims. Claims 1, 13, 14, and 22 have been amended. Claim 33 has been

newly added.

3.   The rejection of claims 1-5, 8-12, 22-25, and 28-32 under 35 U.S.C. 103(a) as

being unpatentable over Saito et al. (hereinafter Saito, US Patent Application

Publication Number 2001/0042083, filed on August 13, 1998) in view of Guck (US

Patent Number 5,911,776, issued June 15, 1999) has been withdrawn due to

amendments.

4.   The rejection of claims 6, 7, 26, and 27 under 35 U.S.C. 103(a) as being

unpatentable over Saito et al. (hereinafter Saito, US Patent Application Publication

Number 2001/0042083, filed on August 13, 1998) in view of Guck (US Patent Number

5,911,776, issued June 15, 1999) as applied to claims 1 and 22 above, and further in

view of Khandekar (US Patent Number 6,732,102, filed on November 16, 2000) has

been withdrawn due to amendments.

Claim Rejections - 35 USC § 112

5.   The following is a quotation of the second paragraph of 35 U.S.C. 112:

> The specification shall conclude with one or more claims particularly pointing out and distinctly
> claiming the subject matter which the applicant regards as his invention.

6.   Claim 33 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite

for failing to particularly point out and distinctly claim the subject matter which applicant

regards as the invention. Claim 33 recites the limitation "said target markup language"

in line 6 on page 9 of the amendment and "the target markup language" in lines 14-15

on page 9. There is insufficient antecedent basis for this limitation in the claim. Earlier

in the claim the term "target format" is used which does not directly correspond to the

"target markup language" which it is referred to as later in the claim. Proper correction

is required.

Claim Rejections - 35 USC § 103

7.   The text of those sections of Title 35, U.S. Code not included in this action can

be found in a prior Office action.

8.   Claims 1, 2, 4, 6-9, 12, 22, 24, 26-29, and 32 are rejected under 35 U.S.C.

103(a) as being unpatentable over Saito et al. (hereinafter Saito, US Patent Application

Publication Number 2001/0042083, filed on August 13, 1998) in view of Rowe et al.

(hereinafter Rowe, US Patent Number 6,073,148, filed on November 10, 1998).

Regarding independent claim 1, Saito discloses a method in which a template

is identified which corresponds to a specified document in which the document includes

formatted content (page 3, paragraphs 0042-0045 of Saito). The template is applied to

the document and an application extracts data from the formatted content and formats

the data based upon the template in which the formatting produces a second document

in a target format (page 3, paragraphs 0042-0045 of Saito). Saito discloses a method in

which templates have a content marker for locating data in which the content marker

has an identifier for identifying data within the formatted content that corresponds to a

specific topic (page 1, paragraph 0002 and page 5, paragraphs 0050-0055 of Saito).

Saito does not disclose a method in which the marker identifies an offset for determining

content. However, Rowe discloses a method in which a marker identifies an offset to be

used to obtain the necessary content from a document (column 31, line 56-column 32,

line 11). It would have been obvious to one of ordinary skill in the art at the time the

invention was made to have combined the methods of Saito and Rowe because it would

have provided a way to efficiently request specific portions of a document.

Regarding dependent claim 2, Saito discloses a method in which the data is

unformatted data (page 3, paragraphs 0041-0042 of Saito).

Regarding dependent claim 4, Saito discloses a method in which the document

is conveyed and presented through a user interface to a client (page 3, paragraph 0039

of Saito).

Regarding dependent claims 6 and 7, Saito discloses a method in which

templates have a content marker for locating data in which the content marker has an

identifier for identifying data within the formatted content (page 1, paragraph 0002 and

page 5, paragraph 0050 of Saito). Saito does not disclose a method in which the

marker identifies an offset for determining content. However, Rowe discloses a method

in which a marker identifies an offset to be used to obtain the necessary content from a

document (column 31, line 56-column 32, line 11). It would have been obvious to one

of ordinary skill in the art at the time the invention was made to have combined the

methods of Saito and Rowe because it would have provided a way to efficiently request

specific portions of a document.

Regarding dependent claims 8-9, Saito discloses a method in which the

formatted content is in HTML (page 3, paragraphs 0042-0045 of Saito).

Regarding dependent claim 12, Saito discloses a method in which the second

document and the specified document are of a different modality (page 3, paragraphs

0042-0045 of Saito).

Regarding independent claim 22 and dependent claims 24, 26-29, and 32,

the claims incorporate substantially similar subject matter as claims 1, 4, 6-9, and 12.

Thus, the claims are rejected along the same rationale as claims 1, 4, 6-9, and 12.

9.   Claims 13-21 remain rejected under 35 U.S.C. 103(a) as being unpatentable

over Saito et al. (hereinafter Saito, US Patent Application Publication Number

2001/0042083, filed on August 13, 1998) in view of Guck (US Patent Number

5,911,776, issued June 15, 1999).

Regarding independent claim 13, Saito discloses a method in which formatted

content is located in a document (page 1, paragraph 0002 and page 5, paragraph 0050

of Saito). Saito discloses that a template is constructed corresponding to the data

location corresponding to a content marker in which the template corresponds to the

document (page 1, paragraph 0002, page 3, paragraphs 0042-0045,and page 5,

paragraph 0050 of Saito). Saito also discloses that the templates are mapped to their

corresponding document using a table (Figure 5 and page 3, paragraph 0043 of Saito).

Saito discloses a method in which templates have a content marker for locating data in

which the content marker has an identifier for identifying data within the formatted

content that corresponds to a specific topic (page 1, paragraph 0002 and page 5,

paragraphs 0050-0055 of Saito). Saito does not disclose a method in which the

template corresponds to a specific markup language and the second document is this

formatted into the markup language different than the original. However, Guck

discloses a method in which a template (shadow file) corresponds to a document and a

specific document format that includes markup languages, and when a document is

requested by format the template is used to format the content of the original document

into the specific markup language (SGML, XML, HTML, etc.) (column 4, line 40-column

5, line 24 and Figure 8 of Guck). It would have been obvious to one of ordinary skill in

the art at the time the invention was made to have combined the methods of Saito and

Guck because it would have allowed for formats to be specified based on the device or

program used to access the data, thus it would have made the content available to a

larger audience.

Regarding independent claim 14, Saito discloses a method in which templates

exist for extracting formatted content from corresponding documents and a table is used

to associate the templates with the corresponding documents (Figure 5 and page 3,

paragraph 0043 of Saito). Saito discloses a method in which templates have a content

marker for locating data in which the content marker has an identifier for identifying data

within the formatted content that corresponds to a specific topic (page 1, paragraph

0002 and page 5, paragraphs 0050-0055 of Saito). Saito does not directly disclose a

buffer for receiving documents or a formatter for formatting the data using the target

markup language. . However, Guck discloses a method in which a template (shadow

file) corresponds to a document and a specific document format that includes markup

languages, and when a document is requested by format the template is used to format

the content of the original document into the specific markup language (SGML, XML,

HTML, etc.) (column 4, line 40-column 5, line 24 and Figure 8 of Guck). It would have

been obvious to one of ordinary skill in the art at the time the invention was made to

have combined the methods of Saito and Guck because it would have allowed for

formats to be specified based on the device or program used to access the data, thus it

would have made the content available to a larger audience.

Regarding dependent claims 15 and 16, Saito discloses a method in which

templates have a content marker for locating data in which the content marker has an

identifier for identifying data within the formatted content (page 1, paragraph 0002 and

page 5, paragraph 0050-0055 of Saito).

Regarding dependent claims 17 and 18, Saito discloses a method in which the

formatted content is in HTML (page 3, paragraphs 0042-0045 of Saito).

Regarding dependent claim 19 and 20, Saito does not disclose a method in

which the second document is formatted in VoiceXML. Saito does not disclose a

method in which the second document is formatted in VoiceXML. However, Guck

discloses a method in which the newly formatted document is converted into an audio

format for IVR systems and sent to a speech interface (column 4, lines 17-38 of Guck).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to have combined the methods of Saito and Guck because it would have allowed for formats to be specified based on the format that a user had the ability to access, thus it would have made the content available to a larger audience.

Guck does not disclose that the format used is specifically VoiceXML, however as stated in the applicant's own specification (page 3, line12-page 4, line 12 of Applicant's specification) VoiceXML was a well-known an audio presentation language used to transcode HTML documents into audio format. It would have been obvious to one of ordinary skill in the art at the time the invention was made to have used VoiceXML when converting HTML documents of Guck into IVR audio document because it would have provided a simple way of converting the documents without having to reformat the content.

Regarding dependent claim 21, Saito discloses a method in which the second document and the specified document are of a different modality (page 3, paragraphs 0042-0045 of Saito).

10.   Claims 3, 5, 10, 11, 23, 25, 30, 31, and 33 are rejected under 35 U.S.C. 103(a) as being unpatentable over Saito et al. (hereinafter Saito, US Patent Application Publication Number 2001/0042083, filed on August 13, 1998) in view of Rowe et al. (hereinafter Rowe, US Patent Number 6,073,148, filed on November 10, 1998) and further in view of Guck (US Patent Number 5,911,776, issued June 15, 1999).

Regarding dependent claim 3, neither Saito nor Rowe disclose a method in which the document is a web page accessed using HTTP with a location specified by a URL. However, Guck discloses a method in which the document requested is a web page accessed using HTTP from a location specified by a URL (column 10, lines 7-46 of Guck). It would have been obvious to one of ordinary skill in the art at the time the invention was made to have used the methods of Saito and Rowe with the method of Guck because web pages, HTTP, and URLs would have provided a simple way for remote users to access documents.

Regarding dependent claim 5, neither Saito nor Rowe disclose a method in which the interface is a speech interface. However, Guck discloses a method in which the newly formatted document is converted into an audio format for IVR systems and sent to a speech interface (column 4, lines 17-38 of Guck). It would have been obvious to one of ordinary skill in the art at the time the invention was made to have combined the methods of Saito and Rowe with the teachings of Guck because it would have allowed for formats to be specified based on the format that a user had the ability to access, thus it would have made the content available to a larger audience.

Regarding dependent claims 10-11, neither Saito nor Rowe disclose a method in which the second document is formatted in VoiceXML. However, Guck discloses a method in which the newly formatted document is converted into an audio format for IVR systems and sent to a speech interface (column 4, lines 17-38 of Guck). It would have been obvious to one of ordinary skill in the art at the time the invention was made to have combined the methods of Saito and Rowe with the teachings of Guck because it

would have allowed for formats to be specified based on the format that a user had the

ability to access, thus it would have made the content available to a larger audience.

Guck does not disclose that the format used is specifically VoiceXML, however

as stated in the applicant's own specification (page 3, line12-page 4, line 12 of

Applicant's specification) VoiceXML was a well-known an audio presentation language

used to transcode HTML documents into audio format. It would have been obvious to

one of ordinary skill in the art at the time the invention was made to have used

VoiceXML when converting HTML documents of Guck into IVR audio document

because it would have provided a simple way of converting the documents without

having to reformat the content.

Regarding dependent claims 23, 25, 30, and 31, the claims incorporate

substantially similar subject matter as claims 3, 5, 10, and 11. Thus, the claims are

rejected along the same rationale as claims 3, 5, 10, and 11.

Regarding independent claim 33, Saito discloses a method in which a template

is identified which corresponds to a specified document in which the document includes

formatted content (page 3, paragraphs 0042-0045 of Saito). The template is applied to

the document and an application extracts data from the formatted content and formats

the data based upon the template in which the formatting produces a second document

in a target format (page 3, paragraphs 0042-0045 of Saito). Saito discloses a method in

which templates have a content marker for locating data in which the content marker

has an identifier for identifying data within the formatted content that corresponds to a

specific topic, and content markers are ordered based on the order in which the data is

presented (Figure 15, page 1, paragraph 0002, and page 5, paragraphs 0050-0055 of

Saito). Saito does not disclose a method in which the marker identifies an offset for

determining content. However, Rowe discloses a method in which a marker identifies

an offset to be used to obtain the necessary content from a document (column 31, line

56-column 32, line 11). It would have been obvious to one of ordinary skill in the art at

the time the invention was made to have combined the methods of Saito and Rowe

because it would have provided a way to efficiently request specific portions of a

document.

Neither Saito nor Rowe disclose a method in which the template corresponds to

a specific markup language and the second document is this formatted into the markup

language different than the original. However, Guck discloses a method in which a

template (shadow file) corresponds to a document and a specific document format that

includes markup languages, and when a document is requested by format the template

is used to format the content of the original document into the specific markup language

(SGML, XML, HTML, etc.) (column 4, line 40-column 5, line 24 and Figure 8 of Guck). It

would have been obvious to one of ordinary skill in the art at the time the invention was

made to have combined the methods of Saito and Rowe with the teachings of Guck

because it would have allowed for formats to be specified based on the device or

program used to access the data, thus it would have made the content available to a

larger audience.

Response to Arguments

11.   Applicant's arguments with respect to claims 1-33 have been considered but are moot in view of the new ground(s) of rejection.

12.   The affidavit/declaration is now acceptable due to the fact that all inventors have submitted a signed affidavit declaration, the examiner points out that the prior art currently being referred to in the case is not effected by the affidavit/declaration of the inventors.
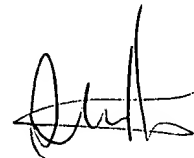

Conclusion

13.   Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

        A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Joshua D. Campbell whose telephone number is (571) 272-4133. The examiner can normally be reached on M-F (7:30 AM - 4:00 PM).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Stephen Hong can be reached on (571) 272-4124. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

JDC
March 14, 2006

STEPHEN HONG
SUPERVISORY PATENT EXAMINER